

California Regional Water Quality Control Board  
North Coast Region

Order No. R1-2000-71  
NPDES Permit No. CA0022756  
I.D. No. 1A840060DN

WASTE DISCHARGE REQUIREMENTS

FOR

CITY OF CRESCENT CITY  
WASTEWATER TREATMENT FACILITY

Del Norte County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. The City of Crescent City (hereinafter permittee or City) submitted a Report of Waste Discharge dated June 23, 1999, and applied for renewal of its permit to discharge treated wastewater under the National Pollutant Discharge Elimination System (NPDES) from the City's Wastewater Treatment Facility (WWTF). The current permit is Waste Discharge Requirements Order No. 94-60, adopted by the Regional Water Board on June 23, 1994.
2. The permittee's WWTF serves the City of Crescent City and the unincorporated areas within Del Norte County Service Area No. 1. The permittee and Del Norte County adopted an agreement (Resolution No. 1980-61) for inter-jurisdictional management of the wastewater facilities.
3. The WWTF provides secondary treatment with a design flow of 1.86 million gallons per day (mgd) average dry weather flow. Treatment consists of screening, pre-aeration, primary sedimentation, rotating biological contractors, secondary sedimentation, disinfection and dechlorination. Sludge is anaerobically digested and dewatered with a filter belt press. The solids cake produced by the belt press (4 to 6 cubic yards daily at 15% to 17% solids) is disposed at the Crescent City landfill.
4. Treated and disinfected effluent is discharged through a short outfall (Discharge Serial No. 001) into the Pacific Ocean south of Battery Point Lighthouse at Latitude 41°44'38" North, Longitude 124°12'38" West. The initial dilution of the outfall has been calculated to be 50:1. Use of the outfall is shared with the Crescent City Harbor District for the District's discharge of treated fish processing waste pursuant to Waste Discharge Requirement Order No. 98-26.
5. On February 26, 1998, the Regional Water Board found that the WWTF was at capacity, both hydraulically and organically, and issued Cease and Desist Order No. 98-24 which prohibited new connections to the treatment plant until the City was able to demonstrate that additional connections would not cause increased violations of permit limits. On July 22, 1999, the Regional Water Board found that the City had completed the short-term measures required by Order No. 98-24 and adopted revised provisions in Order No. 99-54, which allowed the addition of

the equivalent of 220 single-family dwellings (86,000 gallons per day) to the WWTF. The Cease and Desist Orders require the completion of long-term planning and a time schedule for implementation of improvements to the WWTF to provide long-term compliance with permit limits and provide capacity over a 20-year planning period. This work is underway.

6. The WWTF receives wastewater from industrial dischargers. A pretreatment program to control industrial wastes is required by this NPDES Permit. A pretreatment program, developed in conformance with 40 CFR, Part 403 of the Code of Federal Regulations, was approved on March 7, 1985.
7. This WWTF is a major discharger as defined by the U.S. Environmental Protection Agency (U.S. EPA).
8. The Water Quality Control Plan for the North Coast Region (Basin Plan) includes water quality objectives, implementation plans for point source and nonpoint source discharges, prohibitions, and statewide plans and policies.

The State Water Resources Control Board (State Water Board) has adopted the "Water Quality Control Plan for Ocean Waters of California" which establishes beneficial uses and water quality objectives for waters of the Pacific Ocean adjacent to the California coast outside of enclosed bays, estuaries and coastal lagoons.

9. The permittee has storm water discharges associated with industrial activities, category "ix" as defined in 40 CFR Section 122.26(b)(14). The permittee described storm water discharges, appropriate pollution prevention practices and best management practices in a completed Notice of Intent dated Aug 2, 1993 and submitted it to the State Water Board pursuant to the Statewide General Permit Program.
10. The permittee has prepared a Storm Water Pollution Prevention Plan (SWPPP) and has implemented the provisions of the SWPPP. The SWPPP includes source identification, practices to reduce or eliminate pollutant discharge to storm water, an assessment of potential pollutant sources, a materials inventory, a preventative maintenance program, spill prevention and response procedures, general storm water management practices, employee training, recordkeeping, and elimination of non-storm water discharges to the storm water system. It also includes a storm water monitoring plan to verify the effectiveness of the SWPPP.
11. The storm water discharges are best regulated in conjunction with the terms of this individual Permit, thus regulation by the Statewide General Permit is hereby terminated.
12. Due to the large number of storm water discharges and the complex nature of storm water discharges, it is not feasible at this time to establish numerical storm water discharge effluent limits for those facilities which are not covered in 40 CFR Subchapter N. Instead, implementation of the provisions of this Permit constitutes compliance with Best Available/Best Control Technology (BAT/BCT) requirements and requirements to achieve water quality standards. Best Management Practices (BMPs) to control and abate the discharge of pollutants in storm water are authorized where numeric limits are infeasible and the BMPs are

reasonably necessary to achieve compliance with effluent limitations or water quality standards.

13. The beneficial uses of the Pacific Ocean include:
  - a. industrial water supply
  - b. water contact recreation
  - c. noncontact water recreation
  - d. aesthetic enjoyment
  - e. navigation
  - f. commercial and sport fishing
  - g. mariculture
  - h. preservation and enhancement of areas of special biological significance
  - i. preservation and enhancement of rare and endangered species
  - j. marine habitat
  - k. fish migration
  - l. fish spawning
  - m. shellfish harvesting
14. Effluent limitations, and toxic and pretreatment effluent standards established pursuant to Sections 208(b), 301, 302, 303(d), 304, 306, 307, and 403 of the Clean Water Act and amendments thereto are applicable to the permittee.
15. The permitted discharge is consistent with the antidegradation provision of 40 CFR 131.12 and State Water Resources Control Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California. The impact on existing water quality will be insignificant.
16. The permittee is presently governed by Waste Discharge Requirements Order No. 94-60, adopted by the Regional Water Board on June 23, 1994.
17. The action to renew an NPDES Permit is exempt from Chapter 3 (commencing at PRC §21100) of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.), in accordance with Section 13389 of the California Water Code. In addition this action is exempt from CEQA pursuant to Title 14, California Code of Regulations, Section 15301, as an activity involving the permitting of an existing facility that involves negligible or no expansion of an existing use.
18. The Regional Water Board has notified the permittee and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
19. The Regional Water Board, in a public meeting on September 22, 2000, heard and considered all comments pertaining to the discharge.
20. This Order will serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Clean Water Act, and the amendments thereto, and will take effect upon adoption by the Regional Water Board.

THEREFORE, IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. 94-60 is rescinded and the permittee, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

## A. DISCHARGE PROHIBITIONS

1. The discharge of any waste not specifically regulated by this Permit is prohibited.
2. Creation of a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code (CWC) is prohibited.
3. The discharge of sludge or digester supernatant is prohibited, except as authorized under **Section D.**, below.
4. The discharge of untreated waste from anywhere within the collection, treatment, or disposal facility is prohibited.
5. The mean daily dry weather flow to the treatment facility shall not exceed 1.86 million gallons per day (mgd) averaged over a period of 30 days.
6. The discharge of waste to land that is not under the control of the permittee is prohibited, except as authorized under **Section D.**, below.

## B. EFFLUENT LIMITATIONS

1. Wastes discharged to the Pacific Ocean from the outfall (Discharge Serial No. 001) shall not contain constituents in excess of the following limits (Table A and Table B constituents as described and defined in the California Ocean Plan, effective July 23, 1997):

TABLE A  
MAJOR WASTEWATER CONSTITUENTS

<u>Constituent</u>	<u>Units</u>	<u>30-Day Average<sup>1</sup></u>	<u>7-Day Average<sup>2</sup></u>	<u>Daily Maximum</u>
BOD <sub>5</sub>	mg/l	30	45	60
	lb/day <sup>3</sup>	475	710	950
Suspended Solids	mg/l	30	45	60
	lb/day <sup>3</sup>	475	710	950
Grease and Oil	mg/l	25	40	75
Settleable Solids	ml/l/hr	0.1	---	0.2
Turbidity	NTUs	75	100	225
pH	Units	Not less than 6.0 nor more than 9.0		
Acute Toxicity	TUa	1.5	2.0	2.5
Fecal Coliform Organisms	MPN/100ml	14 <sup>4</sup>		43 <sup>5</sup>

<sup>1</sup> The arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days

<sup>2</sup> The arithmetic mean of the value for effluent samples collected in a period of 7 consecutive days

<sup>3</sup> The daily discharge (lbs/day) is obtained from the following calculation for any calendar day:

$$\text{Daily Discharge (lb/day)} = \frac{8.34}{N} \sum_{i=1}^N Q_i C_i$$

in which N is the number of samples analyzed in any calendar day.  $Q_i$  and  $C_i$  are the flow rate (mgd) and the constituent concentration (mg/l), respectively, which are associated with each of the N samples which may be taken in any calendar year. If a composite sample is taken,  $C_i$  is the average flow rate occurring during the period over which samples are composited.

<sup>4</sup> median

Chlorine Residual      mg/l      ---      ---      0.1

**TABLE B**  
**TOXIC MATERIALS LIMITATIONS**

<u>Constituent</u>	<u>Units</u>	<u>6-Month Median</u>	<u>Daily Maximum</u>	<u>Instantaneous Maximum</u>
Arsenic	mg/l	0.26	1.5	3.9
Cadmium	mg/l	0.05	0.2	0.5
Chromium (Hexavalent) <sup>6</sup>	mg/l	0.10	0.4	1.0
Copper	mg/l	0.05	0.5	1.4
Lead	mg/l	0.10	0.4	1.0
Mercury	mg/l	0.002	0.008	0.02
Nickel	mg/l	0.26	1.0	2.6
Selenium	mg/l	0.77	3.1	7.7
Silver	mg/l	0.03	0.13	0.35
Zinc	mg/l	0.6	3.7	9.8
Cyanide <sup>7</sup>	mg/l	0.05	0.2	0.5
Total Chlorine Residual <sup>8</sup>	mg/l	0.1	0.4	3.1
Ammonia	mg/l	30.0	122	300
Chronic Toxicity	TUc	---	51	
Phenolic Compounds (Non-chlorinated)	mg/l	1.5	6.1	15.3
Chlorinated Phenolics	mg/l	0.05	0.02	0.5
Endosulfan	ug/l	0.5	0.9	1.4
Endrin	ug/l	0.1	0.2	0.3
HCH	ug/l	0.2	0.4	0.6
Radioactivity	Not to exceed limits specified in Title 17, Division 5, Chapter 4, Group 3, Article 3, Section 30269 of the California Code of Regulations.			

<sup>5</sup> Not more than 10 percent of samples collected in a 30 day period shall exceed 43 MPN/100 ml (fecal).

<sup>6</sup> Dischargers shall at their option meet this objective as a total chromium objective.

<sup>7</sup> If a discharger can demonstrate to the satisfaction of the Regional Board (subject to EPA approval) that an analytical method is available to reliably distinguish between strongly and weakly complexed cyanide, effluent limitations for cyanide may be met by the combined measurement of free cyanide, simple alkali metal cyanides, and weakly complexed organometallic cyanide complexes. In order for the analytical method to be acceptable, the recovery of free cyanide from metal complexes must be comparable to that achieved by Standard Methods 412F, G, and H (Standard Methods for the Examination of Water and Wastewater, and Water Pollution Control Federation. Most recent edition.)

<sup>8</sup> Water quality objectives for total chlorine residual applying to intermittent discharges not exceeding two hours, shall be determined through the use of the following equation:

$$\log y = -0.43 (\log x) + 1.8$$

Where:      y = the water quality objective (in µg/l) to apply when chlorine is being discharged;  
x = the duration of uninterrupted chlorine discharge in minutes.

TABLE B (continued)  
OBJECTIVES FOR PROTECTION OF HUMAN HEALTH--NONCARCINOGENS<sup>9</sup>

<u>Chemical</u>	<u>Units</u>	<u>30-Day Average</u>
acrolein	mg/l	11.2
antimony	mg/l	61.2
bis(2-chloroethoxy) methane	mg/l	0.22
bis(2-chloroisopropyl) ether	mg/l	61.2
chlorobenzene	mg/l	29.1
chromium (III)	mg/l	9690
di-n-butyl phthalate	mg/l	178
dichlorobenzenes	mg/l	260
1,1-dichloroethylene	mg/l	362
diethyl phthalate	mg/l	1683
dimethyl phthalate	mg/l	41,820
4,6-dinitro-2-methylphenol	mg/l	11.2
2,4,-dinitrophenol	mg/l	0.2
ethylbenzene	mg/l	209
fluoranthene	mg/l	0.8
hexachlorocyclopentadiene	mg/l	2.9
isophorone	mg/l	7650
nitrobenzene	mg/l	0.25
thallium	mg/l	0.7
toluene	mg/l	4335
1,1,2,2-tetrachloroethane	mg/l	61
tributyltin	ug/l	0.07
1,1,1-trichloroethane	mg/l	27540
1,1,2-trichloroethane	mg/l	2193

OBJECTIVES FOR PROTECTION OF HUMAN HEALTH--CARCINOGEN<sup>9</sup>

<u>Chemical</u>	<u>Units</u>	<u>30-Day Average</u>
acrylonitrile	ug/l	5.1
aldrin	ng/l	1.1
benzene	mg/l	0.3
benzidine	ng/l	3.5
beryllium	ug/l	1.7
bis(2-chloroethyl) ether	ug/l	2.3
bis(2-ethylhexyl) phthalate	mg/l	0.2
carbon tetrachloride	mg/l	0.05
chlordan	ng/l	1.2
chloroform	mg/l	6.6
DDT	ng/l	8.7

<sup>9</sup> The Regional Water Board is satisfied these substances are not likely to occur in the permittee's effluent. The permittee will submit periodic certification (annually) that such substances are not added to the waste stream, and that no change has occurred in activities that could cause such substances to be present in the waste stream.

<u>Chemical</u>	<u>Units</u>	<u>30-Day Average</u>
1,4-dichlorobenzene	mg/l	0.9
3,3'-dichlorobenzidine	ug/l	0.4
1,2-dichloroethane	mg/l	6.6
dichloromethane	mg/l	23.0
1,3-dichloropropene	mg/l	0.5
dieldrin	ug/l	0.002
2,4-dinitrotoluene	mg/l	0.1
1,2-diphenylhydrazine	ug/l	8.2
halomethanes	mg/l	6.6
heptachlor	ug/l	0.04
hexachlorobenzene	ug/l	0.01
hexachlorobutadiene	mg/l	0.7
hexachloroethane	mg/l	0.1
n-nitrosodimethylamine	mg/l	0.4
n-nitrosodiphenylamine	mg/l	0.1
PAH's	ug/l	0.5
PCB's	ng/l	1.0
TCDD equivalents	pg/l	0.2
tetrachloroethylene	mg/l	5.0
toxaphene	ug/l	0.01
trichloroethylene	mg/l	1.4
2,4,6-trichlorophenol	mg/l	0.01
vinyl chloride	mg/l	1.8

### C. RECEIVING WATER LIMITATIONS

The discharge of waste shall not cause the following water quality objectives to be violated in ocean waters upon completion of initial dilution:

1. Bacterial Characteristics

a. Body-Contact Standards

Within a zone bounded by the shoreline and a distance of 1000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and in areas outside this zone used for body-contact sports, as determined by the Regional Water Board, but including all kelp beds, the following bacterial objectives shall be maintained throughout the water column:

- i. Samples of water from each sampling station shall have a density of total coliform organisms less than 1,000 MPN per 100 ml (10 per ml), provided that not more than 20 percent of the samples at any sampling station, in any 30-day period, may exceed 1,000 MPN per 100 ml (10 per ml), and provided further that no single sample when verified by a repeat sample taken within 48 hours shall exceed 10,000 MPN per 100 ml (100 per ml).



- ii. The fecal coliform density based on a minimum of five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 ml nor shall more than 10 percent of the total samples during any 60-day period exceed 400 MPN per 100 ml.

b. Shellfish Harvesting Standards

At all areas where shellfish may be harvested for human consumption as determined by the Regional Water Board, the following bacteriological objectives shall be maintained throughout the water column:

- i. In any 30-day period, the median total coliform concentration shall not exceed 70 MPN per 100 ml, and not more than 10 percent of the samples shall exceed 230 MPN per 100 ml.

2. Physical Characteristics

- a. Floating particulates and grease and oil shall not be visible.
- b. The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.
- c. Natural Light shall not be significantly reduced at any point outside the initial dilution zone as the result of the discharge of waste.
- d. The rate of deposition of inert solids and the characteristics of inert solids in the ocean sediments shall not be changed such that benthic communities are degraded.

3. Chemical Characteristics

- a. The dissolved oxygen concentration shall not at any time be depressed more than ten percent from that which occurs naturally, as a result of the discharge of oxygen-demanding waste materials.
- b. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally.
- c. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions.
- d. The concentration of substances listed in *B. Effluent Limitations, Table B* in marine sediments shall not be increased to levels that would degrade indigenous biota.
- e. The concentration of organic materials in marine sediments shall not be increased to levels that would degrade marine life.
- f. Nutrient materials shall not cause objectionable aquatic growths or degrade indigenous biota.

4. Biological Characteristics

- a. Marine communities including vertebrate, invertebrate, and plant species shall not be degraded.
- b. The natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered.
- c. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.

5. General Standards

- a. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Water Board or the State Water Board as required by the Clean Water Act and regulation adopted thereunder.
- b. The discharge must be essentially free of:
  - i. Material that is floatable or will become floatable upon discharge
  - ii. Settleable material or substances that may form sediments which will degrade benthic communities or other aquatic life.
  - iii. Substances which will accumulate to toxic levels in marine waters, sediments, or biota.
  - iv. Substances that significantly decrease natural light to benthic communities and other marine life.
  - v. Materials that result in aesthetically undesirable discoloration of the ocean surface.
- c. Waste shall be discharged in a manner which provides sufficient initial dilution to minimize the concentrations of substances not removed in the treatment.
- d. The discharge shall be such that, in the view of oceanographic characteristics and current patterns:
  - i. Pathogenic organisms and viruses are not present in areas where shellfish are harvested for human consumption or in areas used for swimming or other body-contact sports.
  - ii. Natural water quality conditions are not altered in areas designated as being of special biological significance or areas that existing marine laboratories use as a source of seawater.
  - iii. Maximum protection is provided to the marine environment.
  - iv. The discharge does not adversely affect recreational beneficial uses such as surfing and beach walking.
- e. The discharge shall not interfere with the attainment or maintenance of that water quality which ensures the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife, and allows recreational activities in and on the water.

#### **D. SOLIDS DISPOSAL**

1. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of at a legal point of disposal, and in accordance with the State Water Board promulgated regulations.
2. Use and disposal of sewage sludge shall comply with existing federal and state laws and regulations, including permitting requirements and technical standards contained in 40 CFR 503.
3. Submittal of Information

The following information must be submitted to the Regional Water Board Executive Officer in the annual report that is required as part of the monitoring program:

- a. Annual sludge production in dry tons and percent solids.
- b. A schematic diagram showing sludge handling facilities (e.g. digesters, thickeners, drying beds, etc.) and a solids flow diagram.
- c. A narrative description of sludge de-watering and other treatment processes, including process parameters. For example, if sludge is digested, report average temperature and retention time of the digesters. If composting is used, report the temperature achieved and duration.
  - i. For **landfill disposal**, include:
    - 1) the Regional Water Board's WDR numbers that regulate the landfill(s) used,
    - 2) the present classifications of the landfill(s) used, and
    - 3) the names and locations of the facilities receiving sludge.
  - ii. For **land application**, include:
    - 1) a pre-application report that includes a sampling and analysis plan for the sludge to be land applied, the location of the site(s), field layout, crop type harvest schedule, run-off and run-on control method proposed, soil lime requirements, proposed solids loading rate based on agronomic and metals criteria, proposed time schedule for application, a copy of the landowner user agreement, and subsequent uses of the land. The pre-application report should be submitted at least 6 months prior to the proposed land application;
    - 2) a post-application report that includes: a description of what was done, an analysis of actual cumulative loadings to the site, a description of any unusual events that occurred during application

(i.e. spills, accidents, etc.), and recommendations for or against repeated use of the site. The post-application should be submitted by January 30 of each year.

#### **E. PRETREATMENT OF INDUSTRIAL WASTE**

1. The permittee shall be responsible for the performance of all pretreatment requirements contained in 40 CFR Part 403 and shall be subject to enforcement actions, penalties, fines and other remedies by the U.S. EPA or other appropriate parties as provided in the Clean Water Act, as amended (33 USC 1351 et seq.) (hereinafter "Act"). The permittee shall implement and enforce its approved WWTF Pretreatment Program. The permittee's approved WWTF Pretreatment Program is hereby made an enforceable condition of this Permit. U.S. EPA may initiate enforcement action against an industrial user for noncompliance with applicable standards and requirements as provided in the Act.
2. The permittee must enforce the requirements promulgated under Sections 307(b), 307(c), 307(d) and 402(d) of the Act. The permittee shall cause industrial users subject to Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new industrial user, upon commencement of the discharge.
3. The permittee must perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:
  - a. Exercise its legal authorities as provided in 40 CFR 403.8(f)(1);
  - b. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
  - c. Implement the programmatic functions as provided in 40 CFR 403.8(f)(2); and
  - d. Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).
4. Annual Reporting Requirements

The permittee must annually submit a report to U.S. EPA Region IX and the State Water Board describing the permittee's pretreatment activities over the previous twelve months. In the event that the permittee is not in compliance with any conditions or requirements of this Permit, then the permittee shall also include the reasons for noncompliance and state how and when the discharge shall comply with such conditions and requirements. This annual report is due on February 28th of each year and shall contain, but not be limited, to the following information:

- a. WWTF Influent, Effluent, and Sludge Sampling Results

Sampling results shall include a summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the WWTF's influent and effluent for those pollutants U.S. EPA has identified under Section 307(a) of the Act which are known or suspected to be discharged by industrial users. The permittee is not required to sample for

asbestos until U.S. EPA promulgates an applicable analytical technique under 40 CFR Part 136.

Sludge shall be sampled during the same 24-hour period and analyzed for the same pollutants as the influent and effluent sampling and analysis. The sludge analyzed shall be a composite sample of a minimum of 12 discrete samples at equidistant intervals taken at equal time intervals over the 24-hour period. This sampling method is applicable to sludge that is dewatered on site and immediately hauled off site for disposal. However, if the sludge is dried in drying beds prior to its final disposal, the sludge composite sample must be from twelve discrete samples collected from twelve representative locations of the drying beds. Wastewater and sludge sampling and analysis shall be performed in accordance with the frequency stated in the waste discharge monitoring requirements.

The permittee shall also provide any influent, effluent, or sludge monitoring data for nonpriority pollutants which the permittee believes may be causing or contributing to interference, pass-through, or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.

b. Upset, Interference, or Pass-through

Include a discussion of upset, interference, or pass-through incidents, if any, at the WWTF which the permittee knows or suspects were caused by industrial users of the WWTF system. The discussion shall include the reasons why the incidents occurred, the corrective actions taken, and if known, the name and address of the industrial user(s) responsible. The discussion shall also include a review of the applicable local or federal discharge limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent pass-through, interference, or noncompliance with sludge disposal requirements.

c. Baseline Monitoring Reports

List the cumulative number of industrial users that the permittee has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.

d. List of Industrial Users

An updated list of the discharger's industrial users, including their names and addresses, or a list of deletions and additions keyed to a previously submitted list must be included. The discharger shall provide a brief explanation for each deletion. The list shall identify the industrial users subject to Federal Categorical Standards by specifying which category(s) of standards are applicable. The list shall indicate which categorical industrial, or specific pollutants from each industry, are subject to local limitations that are more stringent than the Federal Categorical Standards. The discharger shall also list the noncategorical industrial users that are subject only to local discharge limitations. The discharger shall characterize the compliance status of each industrial user by employing all applicable descriptions:

- i. In compliance with Baseline Monitoring Report requirements (where applicable);
- ii. Consistently achieving compliance;
- iii. Inconsistently achieving compliance;
- iv. Significantly violated applicable pretreatment required as defined by 40 CFR 403.8(f)(2)(vii);
- v. On a compliance schedule to achieve compliance (include the date final compliance is required);
- vi. Not achieving compliance and not on a compliance schedule;
- vii. The discharger does not know the industrial user's compliance status.

e. Industrial User Inspections and Sampling by WWTF Staff

A summary of the inspection and sampling activities conducted by the discharger during the past year to gather information and data regarding industrial users shall be included. The summary shall consist of:

- i. The names and addresses of the industrial users subject to surveillance by the discharger and an explanation of whether they were inspected, sampled, or both, and the frequency of these activities at each user; and
- ii. The conclusion or results from the inspection or sampling of each industrial user.

f. Compliance and Enforcement Activities

A summary of the compliance and enforcement activities during the past year shall include the names and addresses of the industrial users affected by the following actions:

- i. Warning letters or notices of violation regarding the industrial user's apparent noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user, identify whether the apparent violation concerned the Federal Categorical Standards or local discharge limitations;
- ii. Administrative Orders regarding the industrial user's noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user, identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
- iii. Civil actions regarding the industrial user's noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user, identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;

- iv. Criminal actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user, identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
- v. Assessment of monetary penalties. For each industrial user, identify the amount of penalties;
- vi. Restriction of flow to the WWTF; or
- vii. Disconnection from discharge to the WWTF.

g. Changes in the Approved Pretreatment Program

Include a description of any significant changes in operating the pretreatment program which differ from the information in the discharger's approved WWTF Pretreatment Program including, but not limited to, changes concerning: the program's administrative structure; local industrial discharge limitations; monitoring program or monitoring frequencies; legal authority or enforcement policy; funding mechanisms; resource requirements; or staff levels.

h. A summary of the Annual Pretreatment Budget

Attach a summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.

i. Public Participation Activities

Attach a copy of the public notice as required in 40 CFR 403.8(f)(2)(vii). If no notice was published, explain why.

j. Additional Information

Include a description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

5. Quarterly Reporting Requirements

The city shall submit quarterly compliance status reports to U.S. EPA Region IX and the State. The reports shall cover the periods January 1 - March 31, April 1 - June 30, July 1 - September 30, and October 1 - December 31. Each report shall be submitted by the end of the month following the quarter, except that the report for October 1 - December 31 may be included in the annual report. This quarterly reporting requirement shall commence for the first full quarter following issuance of this Permit. The reports shall identify:

- a. All significant industrial users which violated any standards or reporting requirements during that quarter;

- b. What the violations were (distinguish between categorical and local limits);
- c. What enforcement actions were taken; and
- d. The status of active enforcement actions from previous periods, including closeouts (facilities under previous enforcement actions which attained compliance during the quarter).

Signed copies of the reports shall be submitted to the Regional Water Board, the U.S. EPA Regional Administrator, and the State Water Board at the following addresses:

California Regional Water Quality Control Board  
North Coast Region  
5550 Skylane Boulevard, Suite A  
Santa Rosa, CA 95403

Regional Administrator  
U.S. Environmental Protection Agency  
Attn: WTR-7  
75 Hawthorne Street  
San Francisco, CA 94105

Pretreatment Program Manager  
Regulatory Section  
Division of Water Quality  
State Water Resources Control Board  
P.O. Box 944213  
Sacramento, CA 94244-2130

## **F. GENERAL PROVISIONS**

### **1. Duty to Comply**

The permittee must comply with all of the conditions of this Permit. Any Permit noncompliance constitutes a violation of the Clean Water Act and the Porter-Cologne Water Quality Control Act and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or denial of a Permit renewal application. [40 CFR 122.41(a)]

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Permit has not yet been modified to incorporate the requirement. [40 CFR 122.41(a)(1)]

### **2. Duty to Reapply**

This Permit expires on September 22, 2005. If the permittee wishes to continue an activity regulated by this Permit after the expiration date of this Permit, the permittee must apply for and obtain a new permit. The application, including a report of waste discharge in accordance with Title 23 California Code of



Regulations must be received by the Regional Water Board no later than December 22, 2004. [40 CFR 122.41(b)]

The Regional Administrator of the U.S. EPA may grant permission to submit an application at a later date prior to the Permit expiration date; and the Regional Administrator of the U.S. EPA may grant permission to submit the information required by paragraphs (g)(7), (9), and (10) of 40 CFR 122.21 after the Permit expiration date. [40 CFR 122.21(d)(2)]

3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit. [40 CFR 122.41(c)]

4. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this Permit which has a reasonable likelihood of adversely affecting human health or the environment. [40 CFR 122.41(d)]

5. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with this Permit. Proper operation and maintenance includes adequate laboratory control and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a permittee only when necessary to achieve compliance with the conditions of this Permit. [40 CFR 122.41(e)]

6. Permit Actions

This Permit may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this Permit; or
- b. Obtaining this Permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or a permanent reduction or elimination of the authorized discharge; or
- d. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by Permit modification or termination.

If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any

limitation on the pollutant in this Permit, this Permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the permittee so notified. [40 CFR 122.44(b)]

The filing of a request by the permittee for a Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any Permit condition. [40 CFR 122.41(f)]

7. Property Rights

This Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. [40 CFR 122.41(g)]

8. Duty to Provide Information

The permittee shall furnish the Regional Water Board, State Water Board, or U.S. EPA, within a reasonable time, any information which the Regional Water Board, State Water Board, or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit or to determine compliance with this Permit. The permittee shall also furnish to the Regional Water Board, upon request, copies of records required to be kept by this Permit. [40 CFR 122.41(h)]

The permittee shall conduct analysis on any sample provided by U.S. EPA as part of the Discharge Monitoring Quality Assurance (DMQA) program. The results of any such analysis shall be submitted to U.S. EPA's DMQA manager.

9. Inspection and Entry

The permittee shall allow the Regional Water Board, State Water Board, U.S. EPA, and/or other authorized representatives upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any locations. [40 CFR 122.41(i)]

10. Monitoring and Records

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. The permittee shall calibrate and perform maintenance procedures in accordance with manufacturer's specifications on all monitoring instruments and equipment to ensure accurate measurements. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least three years from the date of the sample, measurement, report, or application. This period may be extended by request of the Regional Water Board, State Water Board, or U.S. EPA at any time. All monitoring instruments and devices used by the permittee to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least annually to ensure their continued accuracy.
- c. Records of monitoring information shall include:
  - i. The date, exact place, and time of sampling or measurements;
  - ii. The individual(s) who performed the sampling or measurements;
  - iii. The date(s) analyses were performed;
  - iv. The individual(s) who performed the analyses;
  - v. The analytical techniques or methods used; and
  - vi. The results of such analyses.
  - vii. The method detection limit (MDL); and
  - viii. The practical quantitation level (PQL) or the limit of quantitation (LOQ).
- d. Unless otherwise noted, all sampling and sample preservation shall be in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association). All analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in this Permit or approved by the Executive Officer of the Regional Water Board. Unless otherwise specified, all metals shall be reported as total metals. Test fish for bioassays and test temperatures shall be specified by the Executive Officer of the Regional Water Board. Bioassays shall be performed in accordance with guidelines approved by the Regional Water Board and the Department of Fish and Game.

11. Signatory Requirements

- a. All Permit applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or U.S. EPA shall be signed by either a principal executive officer or ranking elected official. [40 CFR 122.22(a)]
- b. Reports required by this Permit, other information requested by the Regional Water Board, State Water Board, or U.S. EPA, and Permit applications submitted for Group II storm water discharges under 40 CFR 122.26(b)(3) may be signed by a duly authorized representative provided:

- i. the authorization is made in writing by a person described in paragraph (a) of this provision;
  - ii. the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and
  - iii. the written authorization is submitted to the Regional Water Board prior to or together with any reports, information, or applications signed by the authorized representative. [40 CFR 122.22(b)(c)]
- c. Any person signing a document under paragraph (a) or (b) of this provision shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [40 CFR 122.22(d)]

12. Reporting Requirements

- a. Planned changes: The permittee shall give notice to the Regional Water Board as soon as possible of any planned physical alteration or additions to the permitted facility. Notice is required under this provision only when:
  - i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
  - ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the Permit, nor the notification requirements under Provision 12 (g).
- b. Anticipated noncompliance: The permittee will give advance notice to the Regional Water Board of any planned changes in the permitted facility or activity which may result in noncompliance with Permit requirements.
- c. Transfers: This Permit is not transferable, except after notice to the Regional Water Board or as otherwise provided in 40 CFR 122.61.
- d. Definitions: The following definitions shall apply unless specified in this Permit;
  - i. "Daily discharge" means the discharge of a pollutant measured during a calendar day of any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" shall be the concentrations of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during the sampling day.
  - ii. "Daily average" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
  - iii. "Daily Maximum" discharge limitations means that highest allowable "daily discharge" during the calendar month.

- e. Monitoring reports: Monitoring results shall be reported at the intervals specified in the self monitoring program. By January 30 of each year, the permittee shall submit an annual report to the Regional Water Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the permittee shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the Permit. If the permittee monitors any pollutant more frequently than required by this Permit, using test procedures approved under 40 CFR Part 136 or as specified in this Permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- f. Compliance schedules: Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit shall be submitted no later than 14 days following each schedule date.
- g. Noncompliance reporting: The permittee shall report any noncompliance at the time monitoring reports are submitted. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance.

The following events shall be reported orally as soon as the permittee becomes aware of the circumstances, and the written report shall be provided within five days of that time.

- i. Any unanticipated bypass that violates any prohibition or exceeds any effluent limitation in the Permit.
- ii. Any upset that exceeds any effluent limitation in the Permit.
- iii. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Regional Water Board in this Permit.
- iv. Any noncompliance that may endanger health or the environment.

The Executive Officer may waive the above-required written report.

- h. Other information: Where the permittee becomes aware that it failed to submit any relevant facts in a Permit application, or submitted incorrect information in a Permit application or in any report to the Regional Water Board, the permittee shall promptly submit such facts or information.  
[40 CFR 122.41(1)]

13. Bypass

a. Definitions:

- i. Bypass [as defined in 40 CFR 122.41(m)] is the intentional diversion of waste streams from any portion of a treatment facility.
- ii. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypass not exceeding limitations: The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of (c) and (d) below.

c. Notice

- i. Anticipated bypass: If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
- ii. Unanticipated bypass: The permittee shall submit notice of an unanticipated bypass as required in Section F, Paragraph 12 (g) of this permit.

d. Prohibition of bypass

- i. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
  - 1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - 2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal
  - 3) periods of equipment downtime or preventive maintenance; and

- 4) The permittee submitted notices as required under Section F, Paragraph 13(c) of this permit.

- ii. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in Section F, Paragraph 13(d)(i), above.

14. Upset

- a. Definition: Upset [as defined in 40 CFR 122.41(n)] is an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. Effect of an upset: An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of (c), below, are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. Conditions necessary for a demonstration of upset: A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - i. An upset occurred and that the permittee can identify the cause(s) of the upset;
  - ii. The permitted facility was at the time being properly operated; and
  - iii. The permittee submitted notice of the upset as required in Section F, Paragraph 12 (g) of this permit.
  - iv. The permittee complied with any remedial measures required under Section F, Paragraph 4 of this permit.
- d. Burden of proof: In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

15. Enforcement

The Clean Water Act provides that any person who violates a Permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of violation. Any



person who negligently violates Permit conditions implementing Sections 301, 302, 306, 307, or 308 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment of not more than one year, or both. Higher penalties may be imposed for knowing violations and for repeat offenders. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided under the Clean Water Act.

16. Availability

A copy of this Permit shall be maintained at the discharge facility and be available at all times to operating personnel.

17. Change in Discharge

In the event of a material change in the character, location, or volume of a discharge, (including any point or nonpoint discharge to land or groundwater) the permittee shall file with this Regional Water Board a new report of waste discharge at least 180 days before making any such change. [CWC Section 13376]. A material change includes, but is not limited to, the following:

- a. Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.
- b. Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- c. Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area, significantly removed from the original area, potentially causing different water quality or nuisance problems.
- d. Increase in area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

18. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

19. Monitoring

The Regional Water Board or State Water Board may require the permittee to establish and maintain records, make reports, install, use, and maintain monitoring equipment or methods (including where appropriate biological monitoring

methods), sample effluent as prescribed, and provide other information as may be reasonably required. [CWC Section 13267 and 13383].

The permittee must comply with the Contingency Planning and Notification Requirements Order No. 74-151 and the Monitoring and Reporting Program No. R1-2000-71 and any modifications to these documents as specified by the Regional Water Board Executive Officer. Such documents are attached to this Permit and incorporated herein. The permittee shall file with the Regional Water Board technical reports on self monitoring work performed according to the detailed specifications contained in any monitoring and reporting program as directed by the Regional Water Board.

Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. In the event a certified laboratory is not available to the permittee, analyses performed by a noncertified laboratory will be accepted provided a quality assurance/quality control program is instituted by the laboratory, and a manual containing the steps followed in this program is kept in the laboratory and made available for inspection by staff of the Regional Water Board. The quality assurance/quality control program must conform to U.S. EPA or State Department of Health Services guidelines.

All Discharge Monitoring Reports shall be sent to:

California Regional Water Quality Control Board  
North Coast Region  
5550 Skylane Boulevard, Suite A  
Santa Rosa, CA 95403

U.S. EPA, Region IX  
Attn: WTR-7, NPDES/DMR  
75 Hawthorne Street  
San Francisco, CA 94105

20. National Pretreatment Standards: Prohibited Discharges
  - a. General prohibitions. Pollutants introduced into WWTFs by a nondomestic source shall not pass through [as term is defined in 40 CFR 403.3(n)] the WWTF or interfere [as term is defined in 40 CFR 403.3(i)] with the operation or performance of the works. These general prohibitions and the specific prohibitions in paragraph (b) of this provision apply to all non-domestic sources introducing pollutants into a WWTF whether or not the source is subject to other National Pretreatment Standards or any national, state, or local Pretreatment Requirements.

- b. Specific prohibitions. In addition, the following pollutants shall not be introduced into a WWTF:
  - i. Pollutants which create a fire or explosion hazard in the WWTF;
  - ii. Pollutants which will cause corrosive structural damage to the WWTF, but in no case discharges with pH lower than 5.0, unless the facility is specifically designed to accommodate such discharges;
  - iii. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the WWTF resulting in interference;
  - iv. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the WWTF; and
  - v. Heat in amounts which will inhibit biological activity in the WWTF resulting in interference, but in no case heat in such quantities that the temperature at the WWTF Treatment Plant exceeds 40EC (104°F) unless the Regional Water Board upon request of the WWTF approves alternate temperature limits.
  - vi. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
  - vii. Pollutants which result in the presence of toxic gases, vapors, or fumes within the WWTF in a quantity that may cause acute worker health and safety problems;
  - viii. Any trucked or hauled pollutant, except at discharge points designated by the WWTF.
- c. When specific limits must be developed by a WWTF.
  - i. WWTFs developing WWTF Pretreatment Programs pursuant to 40 CFR 403.8 shall develop and enforce specific limits to implement the prohibitions listed in paragraphs (a) and (b) of this provision.
  - ii. All WWTFs shall, in cases where pollutants contributed by User(s) result in interference or pass-through, develop and enforce specific effluent limits for Industrial User(s), and all other users, as appropriate. Effluent limits, together with appropriate changes in the WWTF's operations, are necessary to ensure renewed and continued compliance with the WWTF's NPDES Permit or sludge use or disposal practices.

- iii. Specific effluent limits shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond.
- d. Local limits. Where specific prohibitions or limits on pollutants or pollutant parameters are developed by a WWTF in accordance with paragraph (c) above, such limits shall be deemed Pretreatment Standards for the purposes of Section 307(d) of the Clean Water Act. [40 CFR 403.5(a) through (d)]

21. Operator Certification

Supervisors and operators of municipal wastewater treatment plants shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations, Section 3680. The State Water Board may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Water Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where water reclamation is involved.

22. Adequate Capacity

Whenever a WWTF will reach capacity within four years, the discharger shall notify the Regional Water Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies, and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Water Board showing how flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Water Board, or within 120 days after receipt of Regional Water Board notification, that the WWTF will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Water Board. An extension of 30 days may be granted by the Regional Water Board Executive Officer, and longer extensions may be granted by the Regional Water Board itself. [CCR Title 23, Section 2232]

23. Toxicity Reduction Evaluations

The permittee shall conduct a toxicity reduction evaluation (TRE) if the discharge consistently exceeds an acute or chronic toxicity effluent limitation. Once the source of toxicity is identified, the permittee shall take all reasonable steps necessary to reduce toxicity to the required level.

24. Storm water discharges permitted by this Order shall be managed by implementation of the Storm Water Pollution Prevention Plan (SWPPP )

described in Finding 10 of this Order. The SWPPP shall be revised as necessary to reflect changes in site characteristics which affect storm water runoff as well as changes in Best Management Practices (BMPs). All revisions shall be submitted to the Regional Water Board and certified in accordance with Provision 11 of this Order. The SWPPP is considered a report which is available to the public under Section 308(b) of the Clean Water Act.

25. The Permittee shall submit annual certification (Footnote 9), as a part of the annual report required under Provision F .12.e, that the substances contained in Effluent Limitations, Table B, Objectives for Protection of Human Health – Non Carcinogen and Carcinogens are not added to the waste stream, and that no change has occurred in activities that could cause such substances to be present in the waste stream.

#### Certification

I, Lee A. Michlin, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on September 22, 2000.

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Lee A. Michlin  
Executive Officer